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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,310	02/07/2002	Katsushi Fujii	219204US6	7061
22850	7590	08/23/2006	EXAMINER	
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			HUYNH, BA	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/067,310	Applicant(s) FUJII ET AL.	
	Examiner Ba Huynh	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/27/06 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071,540 (Dworkin), in view of US patent #6,363,352 (Dailey et al).

- As for claims 1-4: Dworkin teaches a computer implemented system and corresponding method connected to a network server (figure 2) for managing a first service of distributing contents (0027) in real-time according to a reservation made in advance by a first terminal, and, to a second terminal for requesting the use of first service and the use of a second service of providing a chat space (0002-0008, 0015-0019, 0022), comprising the means/steps for:

authentication means for authenticating the second terminal by the use of authenticating data used by the server to authenticate the terminal (0018, 0024), acquiring means configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation database in order to provide the first service (0015, 0025),

generating means configured to generate the chat space corresponding to the reservation at a distribution start time designated by the reservation (0019-0022, 0025-0028),

providing means for providing the second service for the terminal as a result of authentication (0022, 0024, 0025), a supply unit configured to supply the whole or part of the content of chatting performed in the chat space to the first terminal (0003-0008, 0015-0019, 0027) after completion of the delivery of the first service to the second terminal (e.g., playing back of recorded conferences).

Although Dworkin teaches sending the meeting request to the server and the handling of the meeting content by the server (0027), Dworkin is silent regarding including the meeting content in the request. However, in the same field of electronic conferencing, Dailey et al teach the including of meeting content in the meeting request (Dailey's 5:24-27). It would have been obvious to one of skill in the art, at the time the invention was made, to adapt Dailey's teaching of including meeting content together with meeting request to Dworkin's meeting request. Motivation of the combine is for providing material for the meeting. While Dworkin teaches generating of the chat space at scheduled time (0026),

Dworkin fails to clearly teach that the chat space is generated at predetermined time “prior” to a distribution start time. However the limitation is disclosed by Dailey in 5:17-24. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey’s teaching of generating the chat space at predetermined time prior to a distribution start time to Dworkin.

Motivation of the implementation is for avoiding schedule confliction and overlapping.

In Dworkin it is inherently included that the content of the meeting (whole or part) is automatically supplied to the first terminal at scheduled time. Even if it is not, the limitation is disclosed by Dailey in 2:65-3:3 and 12:28-56. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey’s teaching of automatically supplying the whole or part of the content of chatting performed in the chat space to Dworkin. Motivation of the combine is for automating the service at scheduled time.

Response to Arguments

2. The Applicant's arguments with respect to claims 1-4 have been considered but are not deemed persuasive in light of the combined references.

REMARKS:

The limitation supplying the whole or part of the content of chatting performed in the chat space is disclosed by Dailey as set forth in the rejection.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary examiner
AU 2179
8/20/06

BA HUYNH
PRIMARY EXAMINER